



AN ACT REMOVING FROM DRUG COURT STATUTES LANGUAGE CONCERNING FEDERAL FUNDING FOR RESEARCH; AND AMENDING SECTION 46-1-1112, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 46-1-1112, MCA, is amended to read:

"46-1-1112. Funding. (1) There is a drug treatment court federal resources account in the federal special revenue fund that is administered by the office of the supreme court administrator. Any federal money received for funding drug treatment courts must be deposited in the drug treatment court federal resources account and may be used only for purposes of this part. The money in the fund may not be transferred at the end of each year but must remain deposited to the credit of the drug treatment court federal resources account.

(2) A drug offender shall pay the total cost or a reasonable portion of the cost to participate. The cost paid by a drug offender may not exceed \$300 a month. The costs assessed must be compensatory and not punitive in nature and must take into account the drug offender's ability to pay. Upon a showing of indigency, the drug treatment court may reduce or waive costs under this subsection (2). Any fees received by the court from an offender are not court costs, charges, or fines.

~~(3) Funding must be provided from the drug treatment court federal resources account or other available resources for a period of 5 years from April 19, 2005, to research the impact of Montana drug treatment courts on recidivism and money saved as a result of implementing this part.~~

~~(4)~~(3) All federal funds received from grants for purposes of funding drug treatment courts must be exhausted before money is spent from other appropriations for that purpose.

~~(5)~~(4) This part does not prohibit drug treatment court teams from obtaining supplemental funds.

~~(6)~~(5) This part does not supplant funds currently utilized by drug treatment courts."

- END -

I hereby certify that the within bill,
SB 0010, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2009.

Speaker of the House

Signed this _____ day
of _____, 2009.

SENATE BILL NO. 10
INTRODUCED BY G. PERRY
BY REQUEST OF THE LAW AND JUSTICE INTERIM COMMITTEE

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